

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

STUDENTS FOR LIFE ACTION,)	3:23-CV-3010-RAL
)	
Plaintiff,)	
)	
v.)	DEFENDANTS'
)	MOTION TO DISMISS
MARTY JACKLEY, in his official)	PLAINTIFF'S FIRST AMENDED
capacity as Attorney General of the)	COMPLAINT
State of South Dakota, and)	
)	
MONAE JOHNSON, in her official)	
capacity as South Dakota Secretary)	
of State,)	
)	
Defendants.)	

Defendants Marty Jackley in his official capacity as Attorney General of the State of South Dakota and Monae Johnson in her official capacity as the South Dakota Secretary of State (collectively "Defendants"), move under Rule 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, that the Court dismiss Plaintiff's First Amended Complaint seeking injunctive and declaratory relief. This Motion is based on Memorandum of Law which is being filed contemporaneously with this motion.

WHEREFORE, Defendants respectfully request that their Motion to Dismiss be granted.

Dated this 6th day of October, 2023.

/s/ Clifton E. Katz

Clifton E. Katz

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CERTIFICATE OF SERVICE

I hereby certify that on October 6th, 2023, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Central Division by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

/s/ Clifton E. Katz

Clifton E. Katz

Assistant Attorney General